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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,664	09/18/2000	John David Stratton	34-105	1609

7590 05/30/2003

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EXAMINER

KIM, CHRISTOPHER S

ART UNIT	PAPER NUMBER
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3752

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DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in Germany on May 23, 1997. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter. Reference to the international application required under 35 U.S.C. 120 must appear either in the first sentence of the specification or in an application data sheet. 37 CFR 1.78(a)(2). An example of an appropriate first sentence of the specification is, "This is a continuation of International Application PCT/GB98/01675, with an international filing date of June 8, 1998, now abandoned." ***Claim Objections***

3. Claims 4-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3752

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Meade et al. (2,473,035).

Meade et al. discloses a device comprising: an outer bell-shaped member 37; supply means 13; an inner rotary bell-shaped member 56.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meade et al. (2,473,035) in view of Tomita et al. (5,788,164).

Meade et al. discloses the limitations of the claimed invention with the exception of the air turbine and air bearings. Tomita et al. discloses air turbine 11 and air bearings having a separate source of air (column 1, lines 24-26). It would have been obvious to a person having ordinary skill in the art at the time of the invention to have replaced the belt drive and bearings of Meade et al. with the air turbine and air bearings of Tomita et al. to reduce friction.

### ***Conclusion***


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kataoka et al. disclose dual rotary nozzle.

Art Unit: 3752

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (703) 308-8336. The examiner can normally be reached on Monday - Thursday, 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Y. Mar can be reached on (703) 308-2087. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Christopher S. Kim  
Examiner  
Art Unit 3752

CK  
May 28, 2003